

## **Amendments to the Claims**

This listing of claims supersedes all listing of claims.

1. (Currently Amended) A method for reducing an erroneous frame classification associated with a communication in a radio access network (RAN), the method comprising:

classifying a first frame associated with the communication on a first channel having a first data rate and classifying a second frame associated with the communication on a second channel having a second data rate, wherein classifying includes classifying a

Transmit/Discontinuous Transmit (TX/DTX) condition associated with each of the first frame and the second frame; and

re-classifying the first frame from a first condition of the first frame to a second condition of the first frame based on the classifying the second frame of the second channel, and wherein the first condition being a DTX condition, and the second condition being at least one of a TX condition or an erasure condition.

2. (Original) A method according to claim 1, further comprising:

re-classifying the second frame from a first condition of the second frame to a second condition of the second frame associated with the communication based on the classifying of the first frame.

3. (Original) A method according to claim 2, further comprising facilitating an adjustment of a power level associated with the second channel based on the re-classifying the second frame.

4. (Original) A method according to claim 2, wherein the first condition of the second frame includes one or more of a rate parameter and a quality parameter and wherein the rate parameter includes a less than full rate value and the quality parameter includes a low quality value.
5. (Original) A method according to claim 1, wherein the first channel includes one of a high capacity channel and a low reliability channel and the second channel includes, respectively, one of a low capacity channel and a high reliability channel.
6. (Original) A method according to claim 1, wherein the RAN includes a cdma2000 RAN, and wherein the first channel includes a supplemental channel (SCH) and the second channel includes one of a fundamental channel (FCH) and a dedicated control channel (DCCH).
7. (Original) A method according to claim 1, wherein the classifying the first frame includes classifying a Transmit/Discontinuous Transmit (TX/DTX) condition associated with the first frame.
8. (Original) A method according to claim 1, wherein the first condition of the first frame includes a Discontinuous Transmit (DTX) condition and the second condition of the first frame includes a Transmit (TX) condition.

9. (Original) A method according to claim 7, wherein the second condition further includes an Erasure condition.

10. (Original) A method according to claim 1, further comprising facilitating an adjustment of a power level associated with the first channel based on the re-classifying the first frame.

11. (Currently Amended) A method for determining an erroneous frame condition associated with a wireless communication in a radio access network (RAN), the method comprising:

determining a first parameter including one or more of: a Transmit/Discontinuous Transmit (TX/DTX) parameter, a first rate parameter, and a first quality parameter, the first parameter associated with a first frame on a first channel having a first data rate;

determining a second parameter including one or more of: a second TX/DTX parameter, a second rate parameter, a second quality parameter, and a content parameter associated with a second frame on a second channel having a second data rate; and

determining that a first condition associated with the first frame includes the erroneous condition and reclassifying the first condition associated with the first frame to a second condition associated with the first frame based on the second parameter associated with the second frame on the second channel,

wherein the first data rate is greater than the second data rate.

12. (Original) A method according to claim 11, further comprising determining that a first condition associated with the second channel includes the erroneous condition and reclassifying the first condition associated with the second channel to a second condition associated with the second channel based on the first parameter.

13. (Original) A method according to claim 12, further comprising facilitating an adjustment of a power level associated with the second channel based on the reclassifying the first condition associated with the second channel.

14. (Original) A method according to claim 11, wherein the first channel includes a high capacity channel and the second channel includes a low capacity channel.

15. (Original) A method according to claim 11, wherein the RAN includes a cdma2000 RAN, and wherein the first channel includes a supplemental channel (SCH) and the second channel includes one of a fundamental channel (FCH) and a dedicated control channel (DCCH).

16. (Original) A method according to claim 11, wherein, if the TX/DTX parameter is equal to DTX and at least one of the conditions of: the rate parameter includes a value greater than a lowest rate value, the quality parameter indicates a good frame, and the content parameter indicates bearer data is satisfied, then the re-classifying the first condition associated with the first frame to a second condition associated with the first frame includes the first condition where

the TX/DTX parameter is equal to DTX and the second condition where TX/DTX parameter is equal to TX and the quality parameter is an erasure.

17. (Original) A method according to claim 11, further comprising facilitating an adjustment of a power level associated with the first channel based on the re-classifying the first condition associated with the first frame.

18. (Currently Amended) An apparatus for reducing erroneous frame classifications associated with a communication with a radio access network (RAN), the apparatus comprising:  
 an interface capable of supporting a portion of the communication on a first channel having a first data rate and a second channel having a second data rate less than the first data rate;

a memory; and

a processor coupled to the memory and the interface, the memory storing instructions for causing the processor to:

determine a second parameter associated with a first frame on the second channel,  
the second parameter including one or more of: a second TX/DTX parameter, a second rate parameter, a second quality parameter, and a content parameter associated with the first frame on the second channel; and

determine that a first classification condition associated with a first frame on the first channel is erroneous based on the second parameter,

wherein the first classification condition associated with the first frame of the first channel is reclassified to a second classification condition based on the second parameter

associated with the first frame on the second channel and wherein an adjustment of a power level associated with the first channel is facilitated based on the re-classification.

19. (Original) An apparatus according to claim 18, wherein the instructions further cause the processor to:
- determine a first parameter associated with the first frame on the first channel; and
  - determine that a first classification condition associated with the first frame on the second channel is erroneous,
- wherein the first classification condition associated with the first frame on the second channel is reclassified to a second classification condition based on the first parameter and an adjustment of a power level associated with the second channel is facilitated based on the re-classification.

20. (Original) An apparatus according to claim 18, wherein the first channel includes a high capacity channel and the second channel includes a low capacity channel.

21. (Original) An apparatus according to claim 18, wherein the RAN includes a cdma2000 RAN, and wherein the first channel includes a supplemental channel (SCH) and the second channel includes one of a fundamental channel (FCH) and a dedicated control channel (DCCH).

22. (Original) An apparatus according to claim 18, wherein the first classification condition includes one of an first erasure condition and a discontinuous transmit (DTX)

condition and the second classification condition includes, respectively, one of a discontinuous transmit (DTX) condition and a second erasure condition.

23. (Original) The apparatus according to claim 18 used in a mobile station wherein the interface is capable of coupling the mobile station and the RAN and supporting a downlink portion of the communication on the first channel and the second channel.

24. (Original) The apparatus according to claim 18 used in a base station wherein the interface is capable of coupling the base station and a Mobile Station (MS) associated with the RAN, the interface capable of supporting an uplink portion of the communication on the first channel and the second channel.